

**Comments in Response to Localism Notice of Proposed Rulemaking
MB Docket No. 04-233**

APR 25 2008

I submit the following comments in response to the Localism Notice of Proposed Rulemaking (the "NPRM"), released Jan. 24, 2008, in MB Docket No. 04-233.

Any new FCC rules, policies or procedures must not violate First Amendment rights. A number of proposals discussed in the NPRM, if enacted, would do so – and must not be adopted.

(1) The FCC must not force radio stations, especially religious broadcasters, to take advice from people who do not share their values. The NPRM's proposed advisory board proposals would impose such unconstitutional mandates. Religious broadcasters who resist advice from those who don't share their values could face increased harassment, complaints and even loss of license for choosing to follow their own consciences, rather than allowing incompatible viewpoints to shape their programming. The First Amendment prohibits government, including the FCC, from dictating what viewpoints a broadcaster, particularly a religious broadcaster, must present.

(2) The FCC must not turn every radio station into a public forum where anyone and everyone has rights to air time. Proposed public access requirements would do so – even if a religious broadcaster conscientiously objects to the message. The First Amendment forbids imposition of message delivery mandates on any religion.

(3) The FCC must not force revelation of specific editorial decision-making information. The choice of programming, especially religious programming, is not properly dictated by any government agency – and proposals to force reporting on such things as who produced what programs would intrude on constitutionally-protected editorial choices.

(4) The FCC must not establish a two-tiered renewal system in which certain licensees would be automatically barred from routine renewal application processing. The proposed mandatory special renewal review of certain classes of applicants by the Commissioners themselves would amount to coercion of religious broadcasters. Those who stay true to their consciences and present only the messages they correspond to their beliefs could face long, expensive and potentially ruinous renewal proceedings.

(5) Many Christian broadcasters operate on tight budgets, as do many smaller market secular stations. Keeping the electricity flowing is often a challenge. Yet, the Commission proposes to further squeeze niche and smaller market broadcasters, by substantially raising costs in two ways: (a) by requiring staff presence whenever a station is on the air and, (b) by further restricting main studio location choices. Raising costs with these proposals would force service cutbacks – and curtailed service is contrary to the public interest.

We urge the FCC not to adopt rules, procedures or policies discussed above.

Jeri Ball

Signature

4/21/08

Date

LORIBALL

Name

41748 Persha Rd Carthage NY 13619

Address

315-493-1527

Phone

Title (if any)

Organization (if any)

**Comments in Response to Localism Notice of Proposed Rulemaking
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APR 23 2008

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Signature

Date

Name

Address

Title (if any)

Phone

Organization (if any)

CHRISTIAN OUTREACH
FELLOWSHIP

4/22/08
4884 S. Butler Rd
LIVE OAK, CA 95953
916 248-6413

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Signature

4/22/08
Date

GAIL L DAVIS

Name

598 N WALTON AVE Apt #2
Address
Yuba City, CA 95993

5309232900
Phone

Title (if any)

Organization (if any)

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Darlene F Allen

Signature

DARLENE F ALLEN

Name

MISS

Title (if any)

WRVM FM 101.5

Organization (if any)

4-22-08

Date

1138 E Walnut St., Wisc

Address

920-432-5345

Phone

Green Bay,

Send to:

The Secretary
Federal Communications Commission
445 - 12th Street SW
Washington, DC 20554

**Comments in Response to Localism Notice of Proposed Rulemaking
MB Docket No. 04-233**

APR 28 2008

I submit the following comments in response to the Localism Notice of Proposed Rulemaking (the "NPRM"), released Jan. 24, 2008, in MB Docket No. 04-233.

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Pam Lumsden

Signature

4/22/08
Date

Pam Lumsden

Name

1112 Beech Dr., Dixon, IL 61021
Address

(815) 284-9105
Phone

Title (if any)

Organization (if any)

APR 28 2008

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FCC Form 1

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We urge the FCC not to adopt rules, procedures or policies discussed above.

Larry Bartley
Signature

4-22-08
Date

LARRY BARTLEY
Name

28540 DELPHINUS DR
Address SUN CITY, CA 92586

DAD
Title (if any)

951-672-9807
Phone

FAMILY
Organization (if any)

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Dolores Bartley

Signature

April 21, 2008
Date

DOLORES BARTLEY

Name

28540 Delphinus Dr.
San City Ca. 92586
Address

Phone

Title (if any)

Organization (if any)

APR 28 2008

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Signature

4-22-08
Date

Magdalena Bartley

Name

28540 Delphinus Dr
Address SUN CITY, CA. 92586

951-672-9807
Phone

mother
Title (if any)

Organization (if any)

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Samuel A. Miller

Signature

4-21-08

Date

P.O. BOX 42239

EGG HARBOR, NJ 08024

Address

SAMUEL A. MILLER

Name

541-747-8652

Phone

Title (if any)

Organization (if any)

Comments in Response to Localism Notice of Proposed Rulemaking
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Received & Inspected

APR 28 2008

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Sandra J. Webb

Signature

4-19-08
Date

Sandra J. Webb

Name

307 Woodward Ln, Valdosta GA
Address 31602

229-241-8519
Phone

Title (if any)

Organization (if any)

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Joann Chetney

Signature

Joann Chetney

Name

Title (if any)

Organization (if any)

April 21, 2008

Date

1510 21st Ave So. Apt 5
Address Wisconsin Rapids, WI 54495

715-421-2020
Phone

APR 28 2008

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Karen Will, D.M.D.

Signature

April 22, 2008

Date

Karen Will

Name

1162 Della St. Hanford, CA

Address

Doctor

Title (if any)

(559) 584-5819

Phone

Organization (if any)

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We urge the FCC not to adopt rules, procedures or policies discussed above.

Signature

Date

Name

Address

Phone

Title (if any)

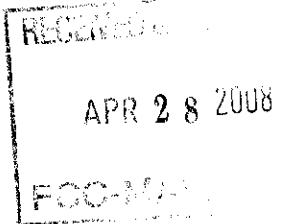
Organization (if any)

4-23-08

P.O. Box 84 Somerset, Ky 42502

606-416-2161

Comments in Response to Localism Notice of Proposed Rulemaking
MB Docket No. 04-233



I submit the following comments in response to the Localism Notice of Proposed Rulemaking (the "NPRM"), released Jan. 24, 2008, in MB Docket No. 04-233.

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We urge the FCC not to adopt rules, procedures or policies discussed above.

Debra Hopper

Signature

Debra Hopper

Name

Title (if any)

Organization (if any)

4/18/08
Date

9937 E. Louisiana Dr. #9-202
Address

Denver, CO 80247

303-369-6927
Phone

**Comments in Response to Localism Notice of Proposed Rulemaking
MB Docket No. 04-233**

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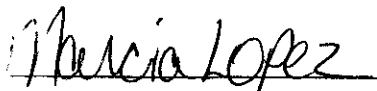
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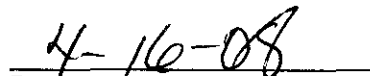
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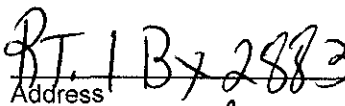

Signature

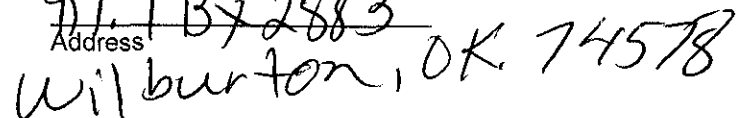

Name

Title (if any)

Organization (if any)


Date


Address



Phone

APR 28 2008

John 6: 28-29

28. Then they said to Him, What shall we do, that we may work the works of God?
29. Jesus answered and said to them, "This is the work of God, that you believe in Him whom He sent."

John 6: 33-37

33. For the bread of God is He who comes down from heaven and gives to the world.
34. Then they said to Him, "LORD, give us this bread always."
35. And Jesus said to them, "I am the bread of life. He who comes to Me shall never hunger, and he who believes in Me shall never thirst."
36. "But I said to you that you have seen Me and yet do not believe."
37. "All that the Father gives Me will come to Me, and the one who comes to Me I will by no means cast out."

Remember Jesus Loves you and He is the way, truth, and Life, there is no other way. He is the Food Source please don't cut that off from those who may need it. Just Believe!

APR 28 2008

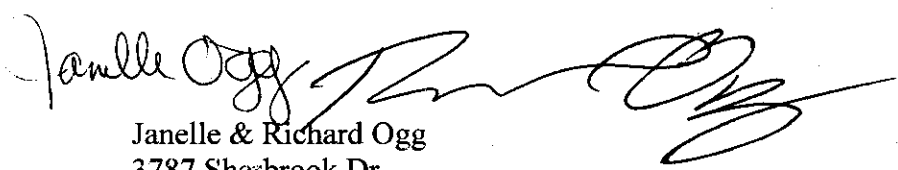
19 April 2008

We are submitting comments in response to the Localism Notice of Proposed Rulemaking ("NPRM") released 24 January 20087, in MB Docket No. 04-233.

A number of the proposed changes would have a negative impact on small stations that serve their community. In that sense such items could be in violation of First Amendment rights of groups to speak out from their own convictions on topics of their choosing.

- (1) Subjecting small radio stations to have their programming and "message" directed or censored by an advisory board seems to constitute government violation of those First Amendment rights. The concept of a local advisory board suggests that the sole purpose of any small station is to carry local messages at the expense of those operating the station without regard for alignment of values or convictions. In reality these stations exist as a free speech vehicle financed by those driven by their convictions to speak up.
- (2) Similarly, requiring every radio station to finance and broadcast messages as a public forum again constitutes the government mandating speech which could be contrary to the station's purpose. Such message, when in contradiction to the station mission, effectively neutralizes the designed message of the station and therefore removes their First Amendment right to effectively assert their belief.
- (3) There is no reason for government censure of the programming decisions of a station beyond the current obscenity laws. If a station and its programming are not meeting needs of its community then it will cease to be able to obtain funding and the situation will resolve itself. It seems well established that the government shall not limit or direct the editorial position of media.
- (4) The FCC should not establish a two-tiered license renewal process. Such a system is too exposed to the coercion of operating practices of the station. Aside from obscenity issues which are already addressed by existing laws, the station should be allowed to operate independent of such government pressure.
- (5) Most small stations operate on tight budgets and have operated appropriately and effectively for some time without staff present. Many such stations are designed for broadcasting programming feeds from other sources making on-site personnel a useless expense. The same holds true for studio location restrictions. Such action serves only to raise the cost with no benefit.

We urge the FCC not to adopt the rules and procedures identified above.


Janelle & Richard Ogg
3787 Sherbrook Dr.
Santa Rosa, CA 95404
707-539-7400

**Comments in Response to Localism Notice of Proposed Rulemaking
MB Docket No. 04-233**

APR 28 2008

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We urge the FCC not to adopt rules, procedures or policies discussed above.

Leona Gustin

Signature

4-21-08
Date

Leona Gustin

Name

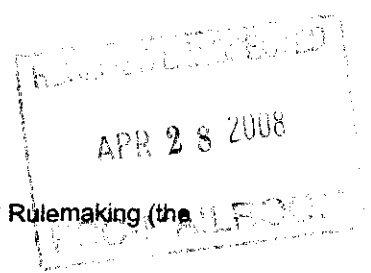
728 E. Turnpike Ave *Bismarck N.Dak*
Address *58501*

701-258-1078
Phone

Title (if any)

Organization (if any)

**Comments in Response to Localism Notice of Proposed Rulemaking
MB Docket No. 04-233**



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We urge the FCC not to adopt rules, procedures or policies discussed above.

Paul R. Gustin

Signature

4-21-08
Date

Paul R. Gustin

Name

728 E. Turnpike Ave., Bismarck, ND 58501
Address

(701) 258-1078
Phone

Title (if any)

Organization (if any)

Comments in Response to Localism Notice of Proposed Rulemaking
MB Docket No. 04-233

APR 28 2008

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We urge the FCC not to adopt rules, procedures or policies discussed above.

Becky Ness

Signature

4-22-08

Date

Becky Ness

Name

1242 Morningside St, Bismarck ND 58501

Address

(701) 224-9508

Phone

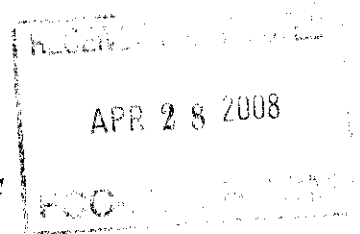
Concerned Parent of 3 children

Title (if any)

Organization (if any)

I beg you to not make the proposed changes I am the mother of 3 young children who appreciates the fact that we are able to listen to Christian radio stations that I know will not use foul language or talk that is inappropriate for my children. Please do not make it more difficult for Christian broadcasters. Thank you for your consideration!

COMMENTS in RESPONSE to LOCALISM
NOTICE OF PROPOSED RULEMAKING
FCC Media Bureau 04-233



From: Robert Bittner, P. O. Box 747, Rowley MA 01969

Improving the quality of radio broadcasting in America is a laudable goal. In general, radio needs improvement, not only with the quality of programming but also its response to the needs of the people in each station's service area.

The FCC's approach to help accomplish such goals, however, is totally wrong. A better approach would be to "un-do" the radio broadcasting aspects of the "Telecommunications Act of 1996". That Act, allowed high-powered investors to raid America's radio stations, rape them for immense short-term profit with no concern for public service, then to leave them high and dry with sub-par programming; the type of programming you, the FCC, have realized is not responsive to America's needs. Anyone knowledgeable on this subject, including the raiders themselves, realize that financial performance was and is placed well above community service.

I submit that ALL of the problems you have recognized would be solved by enacting laws to more severely limit the amount of stations that could be owned by one entity; NOT by the suggestions the Commission is presently studying.

Those suggestions the Commission is currently proposing will only make everything worse. It will cause the conglomerate-owned stations to survive, paying lip-service to the rules, and it will cause many smaller stations owned by smaller groups or individuals to go dark or out of business. This is ironic since it is generally believed that the smaller owners are the ones who never lost the enjoyment and interest in serving the local community through their broadcast property.

Regulating radio broadcasting to the point that station owners are up to their eyeballs in alligators is disproportionately unfair and uncalled-for. Other media from the internet to Cable-TV has very little regulatory burden compared to radio. If any venue needs regulation, it should be Cable-TV, who can provide such without the disruption of the programming which attracts listeners/viewers though the use of one or more of the hundreds of channels it has. Analog AM and FM radio stations have only ONE channel.

As other media (such as iPods) becomes even more dominant, radio stations which choose to be "live and local" will sound even better, therefore attracting an audience. The government should not be forcing something which is inevitably going to become reality by itself. In fact, I believe that, in time, many radio stations will do things they never did before such as being informal on the air, letting local people come in to introduce songs, or them talking briefly (live) about upcoming community events or about their own non-profit organization and what its doing. Stations will HAVE to do this in order to be different than the many forms of other media.

And even if the Commission is correct in all of its regulatory proposals, this is definitely the wrong time to do it... at a time when the economy is so poor and advertisers do not have the funds to support stations with advertising to cover the immense expenses of complying with these new rules.

I would now like to examine every rule-making suggestion in MB Docket 04-233:

STUDIO LOCATION IN CITY OF LICENSE:

The FCC's proposal to require an in-city location would re-shape and disrupt a lot of real estate. Even now, the FCC is saying that they don't want studios to be located at a station's outside-of-city-limits TRANSMISSION site, which has been allowed since the 1960's or before. With today's communication technology, there is absolutely no need to modify the current rules which allow, in most cases, studios to be within 25 miles of the City Of License. Citizens from the City of License have easy access by phone, email, US Mail to it's city's station. The only possible reason the Commission is urging an in-town location is for walk-ins. The marketplace should decide on an in-city location, not the government. Many smaller stations would find it totally cost-prohibitive to finance an in-town location when their current location can serve the public just as well. Location matters much less than the station owner's ATTITUDE towards public service.

24-HOUR ATTENDED STATIONS

There is absolutely no need for this, as today's technology is more dependable than the people that would be placed after business hours and weekends at stations. Should there be an emergency situation, the current EAS system works just fine. I would much rather depend upon it, than minimum-wage employees who would be caught off-guard (over even woken up) in a true emergency and who would be leery of announcing such. A true uniform announcement on all area stations by Civil Authorities is much more accurate than dozens of overnight employees who may interpret emergency situations differently.

Furthermore, requiring 24-hour attendance at stations will definitely cause most stations to cut back their hours of operation, therefore providing LESS service. AM "daytimers" would be the first to cut back, as the after-sunset flea-powered signal would financially not be worth providing.

VOICE-TRACKING

I have no issue with stations disclosing such on the air. Now, most people have an idea that this is happening and it is of no real concern. Voice-tracking is a positive thing when it is done in combination with live announcing. There are too many radio stations on the air, making too much competition to financially support a full air-staff at each station. Once again, the marketplace will decide whether a station sounds appealing or not. I also believe that in the

future, voice-tracking may be used less than today, since listeners will find that the automated sound of voice-tracking of this decade tiring. If there is a problem with too much voice-tracking today, then just maybe the forces of social acceptance and the back and forth waves of trends will cause voice-tracking to decrease. The forces of changing social acceptance would cause station managers to adjust such for the better, much faster than the government can regulate such.

COMMUNITY ADVISORY BOARDS

I submit that a station's salespeople already would be tuned in to what community leaders think its radio station should be doing, in his or her travels throughout the stations' coverage area. This is a busy time for everyone, and I would imagine that most people who might even want to be involved in a station's Community Advisory Board, would find it difficult to have the time to show up for such a meeting. Most don't even have time to go to Rotary Club/Lions Club meetings. An attentive-to-local issues licensee will do what the FCC wants to have done. To help make sure that that happens, the FCC's CURRENT license renewal process helps to bring to its attention the licensees who don't address local issues by means of Petitions To Deny.

A "One rule covers all" requirement for public affairs programming or a community advisory board, is quite faulty. There are many communities which do not have all that many issues to address. To fill up the airtime required by proposed new rules may result in the station having to really reach for available subjects.... An interview with the town's Shellfish Commissioner on the station's "one channel" would really reduce the amount of listeners to the point of jeopardizing advertising revenue to support the station.

REQUIRED PAPERWORK

Required paperwork to document the proposed rules will choke many stations. In addition, creating the proper paperwork will DETRACT from a station's actual public affairs performance! Any amount of money set aside for "public affairs programming" will be halved. Half for actually performing the public affairs programming and the other half for documentation.... documentation that would likely be required to be placed in a station's Public File or submitted to the Commission.

Even now, the issues and programming lists placed quarterly in a station's public file is akin to Robinson Crusoe writing his memoirs on his otherwise uninhabited island, knowing that no one will ever read them. Having been in the radio business for almost 40 years now, only once have I seen anyone wanting to see the public file, and that was in New Hampshire by radio-hobbyist individual who wanted to be first to see who a station was being sold to.

REQUIRING STATIONS TO GIVE AIRTIME TO ANYONE

A bad idea. Does this include the local terrorist cell? Or the Ku Klux Klan? Or a fanatical

religious sect? The suggestion that anyone should have airtime is contrary to the Commission's trust in the licensees who have a very good idea of what to air and what not to.

A SOLUTION

We must find a way to address local issues AND make it inexpensive to do AND make it simple regarding regulation. I submit that just requiring a certain number of Public Service Announcements in any given quarter would be quite satisfactory. A percentage of those PSA's (perhaps 33%) would need to be of local origination. With today's computer programming, they are as easy to schedule and air as commercials are. Such local PSA's could be anything from Mission Statements of all area non-profit orgs to local non-profit org's events.

Discussion programs are needed too, but that has been happening all along and such do not need any further regulation

AN UN-RECOGNIZED FORM OF PUBLIC SERVICE.

Another form of "public service" that is never mentioned by the Commission, is a station's choice to air calm and peaceful music. Having worked at adult standards stations in the past couple of decades, I am immensely impressed how such stations REALLY serve the community by airing music that is not all that commercially viable. The choice to air such music and make little money trumps the other choice to air harder music and make much more money. Anyone who does that is really concerned about public service, and thereby does not need any more regulation! Why? Because the airing of softer music, including adult-standards DOES MORE GOOD for the people of a station's coverage area than all the "public affairs" programming in the world. I have personally experienced communications from over 10,000 listeners who say that the station's music means a great deal to them and a few dozen have even said it has saved their life! Really! It makes elderly people happy. It makes them relive in their minds their happier younger days. It helps them fall asleep. Many elderly people cannot sleep due to medical conditions or pain. Lack of sleep is dangerous to a persons' health.

The adult-standards format on radio is in danger. There are only about 400 stations out of the 14,000 stations in America airing that format. Every month, that 400 number gets a bit smaller. There is little money in adult-standards since most advertisers do not want to advertise on such stations due to the fact that older people are set in their purchasing ways and not easily swayed by advertising. Of those 400 stations, many are considering dropping the format to go sports or talk. If the Commission were to enact the proposed rules, it is likely that most stations will drop the format to do something more financially lucrative in order just to pay the huge expenses to comply with the proposed rules. Therefore the Commission would be indirectly (and almost directly) responsible for denying peoples' well-being, happiness, health, and maybe even life.

LOCAL MUSIC

While I certainly agree that choices of music need to be vastly improved, especially on stations owned by the conglomerates, it is very difficult to regulate music. I can think of no rules that would effectively cover all stations in America. How would the government require the airing of local musicians in a small market when the station's format is "adult standards" for example? How many local artists are creating that kind of music? Is the government expecting adult-standards stations to suddenly break format, jolt its audience to air rock, hip-hop or country? If the Commission were to enact laws about local music content, I am hoping that it would not expect stations to break format to comply.

On the other hand, it is very difficult for unknown artists to be exposed on radio, and this should happen. Again, it's the conglomerates who have tight unimaginative national playlists. Eliminate or reduce the Wall Street types from radio, and the problem is likely solved without regulation.

ANOTHER SOLUTION

Should the Commission still feel that its necessary to implement the proposed tedious rules, then do so ONLY for stations with 5 or more full-time employees (as currently done with EEO), since those are for the most part, the stations who may need such rules to serve the public. Or if that is not satisfactory, then apply new rules upon all stations billing \$1,000,000.00 or more per year. That may be a good thing.... The Wall Street types who invaded radio might just say of radio: "We're out of here!"

AS AN ENDING NOTE

As a small, independent broadcaster,
I love airing local artists' music.
I love airing local PSA announcements.
I love communicating with my listeners.
I love having local non-profit orgs and law enforcement officials on the air.
I love serving an under-served public.
I love doing something different in radio, as I have successfully done..

I do not need new rules to make me do this.

If these proposed rules are enacted, I will have to end what I am doing, as my currently-stable operations will be in the red; it will break my spirit; and over 100,000 of my listeners will be, to say the least, will be deeply disappointed; and nationwide, a whole genre of important music will vastly disappear, greatly disappointing millions more people; all due to over-reactions by the FCC..

Sincerely,
Robert Bittner